

REMARKS

At the outset, the Examiner is thanked for his review and consideration of the pending application. The Office Action mailed October 12, 2007, and the Advisory Action mailed January 31, 2008 have been carefully reviewed. Applicant thanks the Examiner for the professionally prepared the Advisory Action, which provided detailed comments concerning the Applicant's after-final response, filed on January 11, 2008. Applicant also thanks the Examiner for providing the translation of the *Shunichi* reference. The Examiner's efforts and actions are greatly appreciated.

Applicant respectfully wishes to make a comment concerning Applicant's provision of the *Shunichi* reference. The Office states that "since applicant is the one who brought the reference to the Examiner's attention as relevant prior art it would be assumed that applicant has a clear understanding of the submitted prior art reference." Advisory Action at p. 2. Applicant did cite the *Shunichi* reference in an information disclosure statement in this case. Applicant fulfilled its duty to submit relevant prior art. The Office is reminded, however, that "[t]he filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to the patentability as defined in § 1.56(b)." 37 C.F.R. § 1.97(h). Additionally, Applicant is unaware of any duty to acquire "a clear understanding of the submitted prior art reference" as suggested by the Office.

Applicant thanks the Office for identifying a technical error in Applicant's argument filed on January 11, 2008. The technical error was with regard to a "third material." Applicant regrets any inconvenience that this error caused the Office.

Claim 1 is herein amended. Support for the amendment can be found in, at least, paragraphs 0042 and 0056-0059 of the specification. Applicant respectfully asserts that the amendment to claim 1 will, at least, clarify the structural differences between *Shunichi* and the claimed invention. Applicant also respectfully asserts that the amendment to claim 1 will, at least, clarify a difference between a block copolymer of hard blocks and soft blocks and the second material as recited in that claim. No new matter was added. No claims were canceled. Accordingly, claims 1-23 remain pending in the application, with claims 16-23 withdrawn from consideration.

The Office rejects claim 1 under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 11-164986 to *Shunichi et al.* (hereinafter *Shunichi*). Office Action at ¶ 7.

Shunichi fails to disclose at least a “leg pad [that] includes:

- a first member in contact with a floor having the washing machine installed thereon, and
- a second member in contact with the first member, wherein one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which the hard block and soft block make a net form, and the other one of the first member and the second member is formed of a second material and wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer.

as recited in independent claim 1.

Shunichi fails to disclose at least the above-recited elements of independent claim 1.

FIG. 2 of *Shunichi* is most instructive in support of Applicant’s assertion. As explained by *Shunichi*:

[0021] (Example 1) As shown in drawing 2 , the foot unit 27 is provided in the four corners of the pars basilaris ossis occipitalis of the body 10. As shown in drawing 1 , the foot unit 27 serves as the foot rubber 30 formed in one from the fixed type landing gear 32 which has the abbreviation reverse concave section 31 so that the epicyst of the peripheral face of parsbasilaris- ossis-occipitalis 29a of the high degree-of-hardness rubber member 29 with the approximately cylindrical low degree-of-hardness low repulsion rubber member 28 and drum section 29b may be carried out, and is attaching foot rubber 30 in a fixed type landing gear 32 from the lower part.

[0022] A fixed type landing gear 32 is each medial surface of top panel section 31a of the abbreviation reverse concave section 31, and drum section 31b, and holds each peripheral face of ceiling part 30a of foot rubber 30, and drum section 30b. The 1st through hole 33 and 2nd through hole 34 are prepared in the abbreviation pin center, large of the high degree-of-hardness rubber member 29 of the abbreviation reverse concave section 31 of a fixed type landing gear 32, and foot rubber 30, respectively. The 1st step 35 is formed in the 1st through hole 33, and the washer 36 is formed in the 1st step 35. [0023] The 2nd step 37 is formed in the 2nd through hole 34. The bolt 38 has the 3rd step 39 corresponding to a washer 36, and the 4th step 40 corresponding to the 2nd step 37, penetrates the 1st through hole 33 and 2nd through hole 34, it presses down a fixed type landing gear 32 by the 4th step 40 through a washer 36 by the 3rd step 39, binds foot rubber 30 tight in the nut 41 prepared in the bottom circles side side of the body 10, and is fixing them.

[0024] When it is made such a configuration, in case an installation contractor and a user install the body of a washing machine, or in case it carries, like the arrow head c of drawing 3 Even if it drags the body of a washing machine, or it makes

the body of a washing machine slanting and it moves a foot by turns, the low degree-of-hardness low repulsion rubber member 28 only deforms. Since it does not peel from the approximately cylindrical high degree-of-hardness rubber member 29 and shakiness does not arise on the body of a washing machine, the problem that the vibration at the time of dehydration becomes large can be prevented.

Shunichi at ¶¶ 0021-0023. Thus, *Shunichi* discloses, at most discloses “fixed type landing gear 32” that have a “cylindrical high degree-of-hardness rubber member 29” that appears to be wrapped “with the approximately cylindrical low degree-of-hardness low repulsion rubber member 28.” *Id.* *Shunichi* explains even if “an installation contractor and a user install the body of a washing machine” and even if they drag “the body of a washing machine” or tip it on a foot and rotate it, “the low degree-of-hardness low repulsion rubber member 28 only deforms. Since it does not peel from the approximately cylindrical high degree-of-hardness rubber member 29.” *Id.*

Applicant maintains that *Shunichi* fails to describe, either expressly or inherently, “block copolymer,” or a “block copolymer of hard blocks and soft blocks” as recited in independent claim 1. Applicant further maintains that an anticipatory reference must describe, either expressly or inherently, each of the limitations of the claim. Nevertheless, Applicant has amended that claim to make the distinction between *Shunichi* and the claimed invention even clearer. Therefore, Applicant respectfully states that even if *Shunichi* did somehow describe “block copolymer,” or a “block copolymer of hard blocks and soft blocks,” which it does not, *Shunichi* certainly fails to describe, either expressly or inherently, that “one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which hard block and soft block make a net form,” as recited in independent claim 1. There is simply no disclosure of this in *Shunichi*.

If the Office requires Applicant to further distinguish *Shunichi* from the claimed invention, Applicant points out that *Shunichi* explicitly is described to permit deformation of “the low degree-of-hardness low repulsion rubber member 28.” *Id.* at ¶ 0024. *Shunichi* explicitly describes that this “the low degree-of-hardness low repulsion rubber member 28” is designed to deforms so that it does not peel away “from the approximately cylindrical high degree-of-hardness rubber member 29.” *Id.* This is in stark contrast to a leg pad comprised of first and second members “wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer,” as recited in independent claim 1.

Applicants respectfully submit that claim 1 is patentably distinguishable over *Shunichi*. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 102(b) rejection of claim 1.

The Office has rejected claims 2, 3, and 11-14 under 35 U.S.C. § 103(a) as being unpatentable over *Shunichi* in view of U.S. Patent No. 6,028,147 to Ogawa *et al.* (hereinafter *Ogawa*). Office Action at ¶ 10. As stated above, *Shunichi* fails to disclose, teach, or suggest, at least a leg pad that includes:

a first member in contact with a floor having the washing machine installed thereon, and
a second member in contact with the first member,
wherein one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which the hard block and soft block make a net form, and the other one of the first member and the second member is formed of a second material and wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer.

as recited in independent claim 1. Claims 2, 3, and 11-14 depend from independent claim 1, and consequently, they too fail to describe, teach, or suggest, the claimed limitations.

Ogawa fails to cure the deficiencies of *Shunichi*. Indeed, *Ogawa* was offered by the Office for its purported teaching of using butyl rubber with block copolymers. *Id.* In the Advisory Action, the Office asserts that “Ogawa discloses the exact same rubber materials of butyl rubber and block copolymers claimed for the same use ...” If the Office is asserting that *Ogawa* qualifies as a 102 anticipatory reference, then the Office should have made such a rejection. *Ogawa* fails to describe each and every element, as claimed, by Applicant. The Office implicitly admits this by not asserting *Ogawa* as a 102 reference. Applicant respectfully asserts that the amendments to apparatus claim 1 clarify that claim and should help the Office in distinguishing between function and structure.

For at least the above-recited reasons, Applicants respectfully submit that claim 1 is patentably distinguishable over *Shunichi* in view of *Ogawa*. Claims 2, 3, and 11-14, which depend either directly or indirectly from claim 1, are also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 2, 3, 11-14.

The Office rejects claims 4-7 under 35 U.S.C. § 103(a) as being unpatentable over *Shunichi* and *Ogawa* in view of U.S. Patent No. 6,746,780 to *Rieger et al.* (hereinafter *Rieger*). Office Action at ¶ 11. As stated above, *Shunichi* in view of *Ogawa* fail to disclose, teach, or suggest, at least a at least a leg pad that includes:

a first member in contact with a floor having the washing machine installed thereon, and
a second member in contact with the first member,
wherein one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which the hard block and soft block make a net form, and the other one of the first member and the second member is formed of a second material and wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer.

as recited in independent claim 1. Claims 4-7 depend from independent claim 1, and consequently, they too fail to describe, teach, or suggest, the claimed limitations.

Rieger fails to cure the deficiencies of *Shunichi* and *Ogawa*. Applicants arguments filed on January 11, 2008 with respect to *Rieger* are maintained. The Office asserts that Applicants miss “the thrust of the Examiner’s rejection.” Advisory Action at p. 2. Applicants disagree. Applicants understood the rejection. Applicants also understood that certain elements of independent claim 1 were not shown by *Shunichi* or *Ogawa*, either alone or in combination. As such, unless *Rieger* could be used to in the combination to teach those elements, the 35 U.S.C. § 103(a) rejection should be withdrawn. Therefore, Applicants respectfully pointed out to the Office that *Rieger* failed to teach those missing elements. Applicants further respectfully pointed out that the Office did not even consider using *Rieger* to teach those elements, but instead had asserted *Rieger* to allegedly teach certain elements of the dependent claims 4-7.

For at least the above-recited reasons, Applicants respectfully submit that claim 1 is patentably distinguishable over the *Shunichi* and *Ogawa* in view of *Rieger*. Claims 4-7, which depend either directly or indirectly from claim 1, are also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 4-7.

The Office has rejected claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over *Shunichi* and *Ogawa* in view of JP 5-117491 to *Yamamoto* (hereinafter *Yamamoto*).

Office Action at ¶ 12. As stated above, *Shunichi* and *Ogawa* fail to disclose, teach, or suggest, at least a at least a leg pad that includes:

a first member in contact with a floor having the washing machine installed thereon, and
a second member in contact with the first member,
wherein one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which the hard block and soft block make a net form, and the other one of the first member and the second member is formed of a second material and wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer.

as recited in independent claim 1. Claims 8-10 depend from independent claim 1, and consequently, they too fail to describe, teach, or suggest, the claimed limitations.

Yamamoto fails to cure the deficiencies of *Shunichi* and *Ogawa*. Applicants arguments filed on January 11, 2008 with respect to *Yamamoto* are maintained. Similar to the reasoning explained with regard to *Rieger*, *Yamamoto* does not teach or suggest those elements which are shown to be deficient in both *Shunichi* and *Ogawa*.

For at least the above-recited reasons, Applicants respectfully submit that claim 1 is patentably distinguishable over the *Shunichi* and *Ogawa* in view of *Yamamoto*. Claims 8-10, which depend either directly or indirectly from claim 1, are also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 8-10.

The Office has rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over *Shunichi* and *Ogawa* in view of U.S. Patent No. 6,914,091 to Donald et al. (hereinafter *Donald*). Office Action at ¶ 13. As stated above, *Shunichi* and *Ogawa* fail to disclose, teach, or suggest, at least a at least a leg pad that includes:

a first member in contact with a floor having the washing machine installed thereon, and
a second member in contact with the first member,
wherein one of the first member and the second member is a block copolymer of hard blocks and soft blocks, in which the hard block and soft block make a net form, and the other one of the first member and the second member is formed of a second material and wherein the block copolymer and the second material are configured to prevent the plastic deformation of the block copolymer.

as recited in independent claim 1. Claim 15 depends indirectly from independent claim 1, and consequently, it too fails to describe, teach, or suggest, the claimed limitations.

Donald fails to cure the deficiencies of *Shunichi* and *Ogawa*. Applicants arguments filed on January 11, 2008 with respect to *Donald* are maintained. Similar to the reasoning explained with regard to *Rieger* and *Yamamoto*, *Donald* does not teach or suggest those elements which are shown to be deficient in both *Shunichi* and *Ogawa*.

For at least the above-recited reasons, Applicants respectfully submit that claim 1 is patentably distinguishable over the *Shunichi* and *Ogawa* in view of *Donald*. Claim 15, which depends indirectly from claim 1, is also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 15.

CONCLUSION

This application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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